

EXHIBIT 8

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

In Re: Toyota Motor Corp. Unintended
Acceleration Marketing, Sales
Practices, and Products Liability
Litigation

8:10ML02151 JVS (FMOx)

This document relates to:

ALL CASES

ORDER NO. 3: ADOPTION OF A
SCHEDULE FOR THE FILING OF
CONSOLIDATED COMPLAINT[S],
RULE 26(a)(1) INITIAL
DISCLOSURES, AND PLEADINGS
MOTIONS

On May 14, 2010, the Court issued an Order seeking the parties' positions on scheduling and preliminary discovery issues, including a deadline for the filing of consolidated class action complaint(s) for economic loss, briefing schedules for Rule 12 and other pleadings motions, the entry of an appropriate evidence preservation order, and the timing and scope of the Rule 26(a)(1) initial disclosures. Pursuant to that Order, the parties filed their Joint Statement re Proposed Scheduling Order (Docket No. 176), and each side filed their own brief as well (Docket Nos. 177, 178 (declaration), and 179), all of which the Court

1 reviewed in advance of the hearing. Upon review, and after considering the
2 arguments of the parties at the May 28, 2010, hearing, the Court makes the
3 following Order:

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5 I. Initial Disclosures

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7 A. Plaintiffs

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9 Plaintiffs' initial disclosures shall be made no later than July 2, 2010.

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11 B. Toyota Defendants¹

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13 The Court is in agreement with defendants that full compliance with Rule
14 26(a)(1) is not appropriate in light of the complexity of these cases. However, the
15 Court is convinced that defendants have within their possession a defined set of
16 documents, consisting of approximately 75,000 to 100,000 pages, much or all of
17 which is likely to be discoverable, and which has already been produced to
18 Government entities to date, including without limitation to the United States
19 Congress and National Highway Traffic Safety Administration. Those documents
20 which are discoverable under the Federal Rules of Civil Procedures shall be
21 produced no later than July 2, 2010.

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23 As discussed at the hearing, the present Order does not alter the scope of
24 documents that ultimately may be discoverable, nor does it limit objections to
25

26
27 ¹ The Toyota Defendants include Toyota entities named as defendants in the
28 member cases.

1 production on the basis that a document is not relevant² or is shielded by attorney-
2 client or work-product privilege.

3
4 The Court recognizes the difficulties regarding the documents using the
5 Japanese language; however, best efforts shall be made to produce such documents
6 no later than July 2, 2010, and thereafter any remaining production shall be made
7 on a rolling basis weekly. Defendants are not obligated to provide English
8 translations of the documents if such translations do not exist in the documents
9 produced to the Government entities.

10 Documents expected to be covered by the anticipated protective order shall
11 be produced no later than ten days after the entry of the protective order.

12 13 II. Filing of Consolidated Complaint(s)

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15 Plaintiffs shall file the consolidated complaint(s) in the economic loss cases
16 no later than August 2, 2010.

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22 ² Of course, when referring to “relevancy” in the discovery context, the
23 Court is not concerned with a document’s relevancy for admissibility purposes;
24 rather, the Court is concerned with the lower standard of relevancy applicable to a
25 document’s discoverability. Compare Fed. R. Evid. 401 (“‘Relevant evidence’
26 means evidence having any tendency to make the existence of any fact that is of
27 consequence to the determination of the action more probable or less probable than
28 it would be without the evidence.”) with Fed. R. Civ. P. 26(b)(1) (“Relevant
information need not be admissible at the trial if the discovery appears reasonably
calculated to lead to the discovery of admissible evidence.”).